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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/081,833	02/22/2002	Jacques Alain Deverin	H 5369 US	3113
7590	04/20/2004		EXAMINER	
George L. Snyder, Jr. Hodgson Russ LLP Suite 2000 One M&T Plaza Buffalo, NY 14203-2391			NGUYEN, THONG Q	
			ART UNIT	PAPER NUMBER
			2872	
DATE MAILED: 04/20/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.



## UNITED STATES DEPARTMENT OF COMMERCE

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10/08/03

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER

ART UNIT PAPER

04192004

DATE MAILED:

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Commissioner for Patents

The reply filed on 1/16/2004 does not comply with the requirement as set forth in MPEP, Section 409, and thus is not considered as a complete responsive to the Office action. The reason is the reply/amendment is signed by the same attorney with the death of the sole inventor, and a new power of attorney has not been filed with the reply/amendment. Applicant is respectfully invited to review MPEP, Section 409.01 which requires that a new power from the heirs, administrators, executors, or assignees is necessary if the deceased inventor is the sole inventor.

Since the above-mentioned reply appears to be bona fide, applicant is given a TIME PERIOD of ONE (01) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Note: It is also suggested to the applicant that applicant should also file a supplemental amendment to amend the specification in accompanion with the new power of attorney. The reason is the amendment to the specification by moving some paragraphs from one place to other place as stated in page 3 of the reply/amendment filed on 1/16/2004 does not comply with the requirements and thus is not accepted.

Thong Q. Nguyen  
Primary Examiner  
Art Unit: 2872